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August 27, 2015

Via email and US mail

Amelia Piggott
Attorney
U.S. EPA Region 8
1595 Wynkoop St.
Denver, CO 80202
Piggott.Amelia@epa.gov

Re: Frenchtown: Smurfit-Stone Investigation

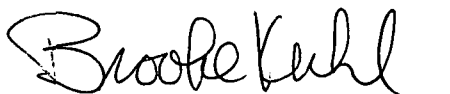
Dear Ms. Piggott,

As we have discussed, BNSF Railway Company and Montana Rail Link, Inc. (the Railroads) continue to seek information from USEPA on the basis for including the railroad spur east of Missoula County Highway (Mullan Road) as part of the Smurfit-Stone CERCLA site. The spur is depicted in the attached maps previously provided to USEPA and includes roughly 2.8 acres within the approximately 3,200 acre site mapped by USEPA. We have not seen and are not aware of any documents showing a release of any hazardous materials on this spur and understand that USEPA's prior investigations included no sampling along the spur. Nonetheless, the Railroads share in USEPA's desire to progress work at the site and to that end the Railroads prepared a Quality Assurance Project Plan and Sample and Analysis Plan to identify and assess contaminants of potential concern in soils along the spur (Work Plan). We understand that USEPA previously collected groundwater data on properties adjacent to the spur and that those samples do not indicate groundwater concerns in this area.

The Work Plan was provided to the assigned USEPA project manager on or about July 6, 2015. In a recent conversation you advised us that USEPA is concerned about costs associated with the review of the Work Plan absent some arrangement with the Railroads to facilitate USEPA's recovery of oversight costs associated with that plan. This letter confirms the Railroads agreement to reimburse USEPA for costs associated with the review of the Work Plan and oversight of its implementation. Again, we want to express our sincere desire to move forward with the Work Plan to expand our collective understanding of soil conditions on the spur and we hope that our agreement to pay USEPA costs associated with the Work Plan will expedite this work. Please advise whether USEPA will provide review and oversight of the Work Plan on these terms.

Separately, we understand that USEPA is continuing to discuss an Administrative Order on Consent with International Paper Company, RockTenn CP, LLC, and M2Green Redevelopment LLC (PRP Group). Although the Railroads were initially involved in these discussions, at some point we were not included by USEPA and the PRP Group in technical and legal discussions regarding the site. Like Missoula County, we have since been proceeding outside the process currently being negotiated between the PRP Group and USEPA. The Railroads did provide their proposed Work Plan to the PRP Group along with USEPA and have had discussions with the PRP Group on whether that work could be implemented as part of the work proposed by the PRP Group. At this point, the scope of work proposed by the PRP Group has not been shared with the Railroads, however, we understand that there is little interest by the PRP Group in furthering the work described in the Railroads' Work Plan.

Sincerely,

A handwritten signature in cursive script, reading "Brooke Kuhl". The signature is written in dark ink and is positioned above a horizontal line.

Brooke Kuhl

cc: Becky Summerville, Datsopoulos MacDonald & Lind P.C. for Montana Rail Link, Inc.

**Quality Assurance Project Plan/
Sampling & Analysis Plan
Contaminants of Potential Concern Assessment
Spur Track 7552 from 132+0316**



Prepared for:

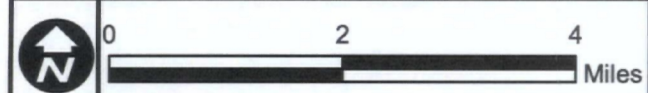
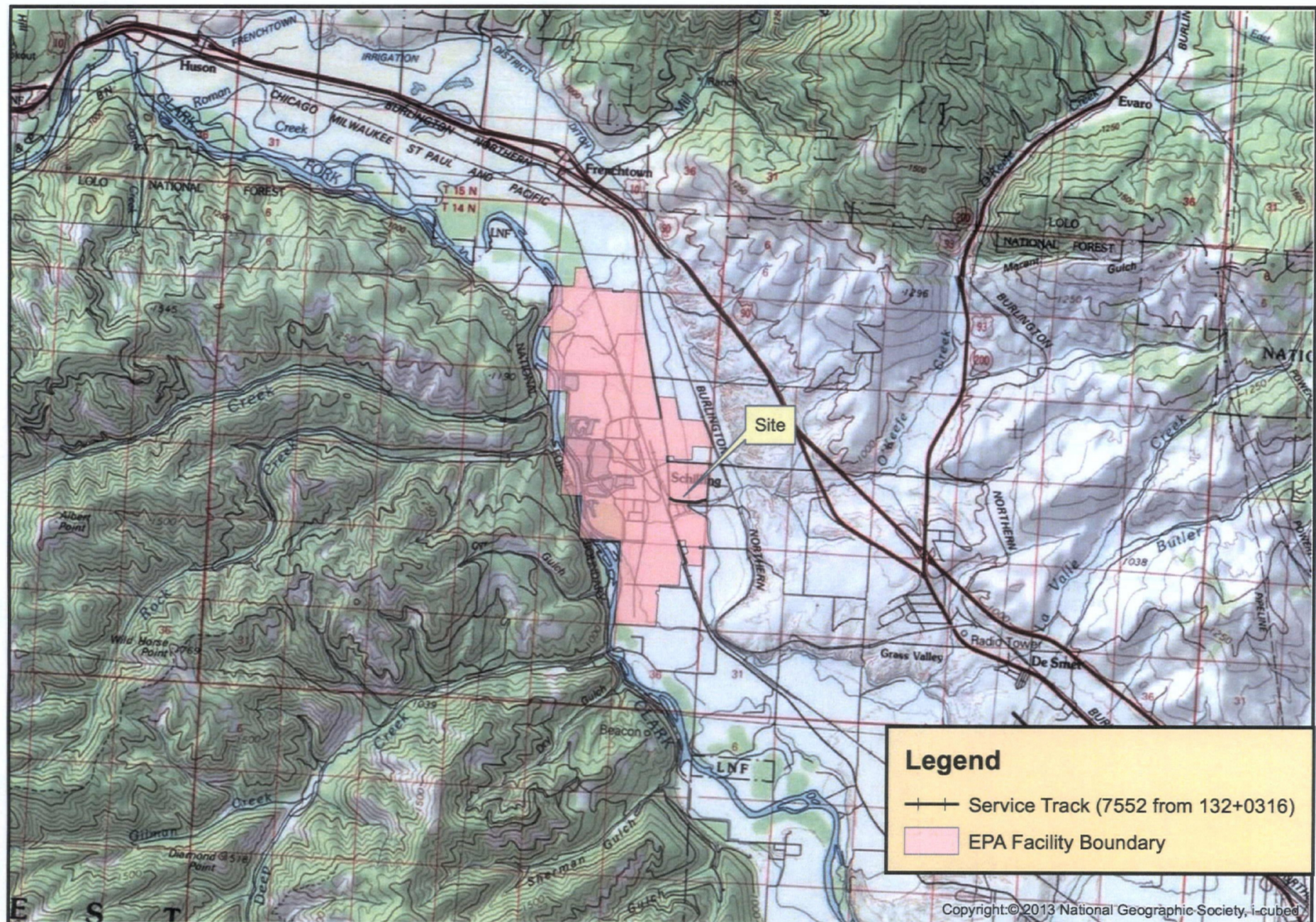


101 International Drive
PO Box 16390
Missoula, MT 59808

Prepared By:

Olympus Technical Services
765 Colleen Street
Helena, Montana

July 6, 2015



Montana Rail Link
COPC Assessment
Former Smurfit Stone Mill Site

 Olympus Technical Services, Inc.

Site Location Map

FIGURE
1